UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,376	09/25/2003	William Vroman	PL020001	2375

37621 7590 11/18/2005

PATENTS AND LICENSING LLC
DANIEL W. JUFFERNBRUCH
28 BARRINGTON BOURNE
BARRINGTON, IL 60010-9605

EXAMINER	
AGWUMEZIE, CHARLES C	
ART UNIT	**PAPER NUMBER**
3621	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/605,376	VROMAN ET AL.	
	Examiner	Art Unit	
	Charlie C. Agwumezie	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 September 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,19-28 and 30-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,19-28 and 30-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *01/23/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Status of claims

1. Claims 11-18 and 29 are cancelled. Claims 1, 2, 4-6 and 19-24 are amended and claims 30-38 are added. Claims 1-10, 19-28 and 30-38 are pending in this application per response to Office Action filed on August 24, 2005.

Response to Arguments

2. Applicant's arguments with respect to claims 1-10, 19-28 and 30-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1-10, 19-28, 30, 33 and 37,** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghahremani et al U.S. Patent Application Publication No. 2005/0180429 A1 in view of Coley et al U.S. Patent Application Publication 2001/0011253.

4. As per **claim 1 and 19**, Ghahremani et al discloses a feature rights management system, comprising:

a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features;

a chassis comprising a plurality of cards slots and a common backplane bus for connecting cards among the slots to one another (fig. 1, 14, 17, 33, 34; 0049);

a system manager card operatively disposed in a slot of a chassis, the system manager card comprising a feature rights management agent operatively coupled to the feature rights server to receive feature keys from the feature rights server, to store feature rights in a repository, and to identify available feature units provided (fig. 1, 3, 12, 14, 15, 16, 17, 33, 34; 0055; 0058; 0069; 0070; 0071); and

a plurality of application cards operatively disposed in a plurality of slots of at least one chassis, each application card operatively coupled to the system manager card over the common backplane bus to request feature rights from the feature rights management agent, wherein the feature rights management agent allocates the feature units among requesting plurality of application cards over the common backplane bus (fig. 1, 3, 12, 14, 15, 16, 17, 33, 34; 0055; 0071).

What Ghahremani et al does not explicitly teach is

a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features.

Coley et al discloses a feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features (0018, 0094).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a

feature rights server having a repository for storing feature keys, the feature keys representing activation rights for features as taught by Coley et al, because " ... A typical software license grants a permit to use to use the licensed software application on a particular machine and perhaps... A software license provides a software provider with a legal instrument against impermissible use of licensed software" (Coley col. 1, lines 10-20)

5. As per **claim 2 and 20**, Ghahremani et al failed to explicitly disclose a feature rights management system, wherein the feature rights management agents and the feature rights server transfer rights between the feature rights management agents and the server in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between the application cards and the feature rights management agent in the form of permission.

Coley et al discloses a feature rights management system, wherein the feature rights management agents and the feature rights server transfer rights between the feature rights management agents and the server in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between the application cards and the feature rights management agent in the form of permission (0072, 0073, 0089).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the feature rights management agents and

the feature rights server transfer rights between the feature rights management agents and the server in the form of keys; and wherein the application cards and the feature rights management agent transfer rights between the application cards and the feature rights management agent in the form of permission as taught by Coley et al, because "... if the client application is licensed (i.e. the database contains a record of a license), the response can allow the client application to be enabled, or re-enabled." (Coley, col. 4, lines 40-50).

6. As per **claim 3 and 21**, Ghahremani et al further discloses a feature rights management system, wherein a connection between the feature rights management agents and the feature rights server is un-trusted (fig. 16); and wherein a connection between the sub-agents and the feature rights management agent is trusted (fig. 16).

7. As per **claim 4 and 22**, Ghahremani et al failed to explicitly disclose a feature rights management system, wherein the application card requests permissions for feature rights from the feature rights management agent upon provisioning.

Coley et al further discloses a feature rights management system, wherein the application card requests permissions for feature rights from the feature rights management agent upon provisioning (0072, 0073, 0076).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the application card requests permissions

for feature rights from the feature rights management agent upon provisioning as taught by Coley et al because "... if it is determined that the client application is not licensed, the response sent by the licensing server does not allow the client application to be enabled (Coley, col. 4, lines 40-45).

8. As per **claim 5 and 23**, Ghahremani et al further discloses a feature rights management system, wherein the feature rights management agent comprises a memory for storing a number of unallocated feature units (0065; 0164; 0165); and wherein the feature rights management agent requests keys for features from the feature rights server when the number of unallocated feature units is deficient to meet the needs of a request for permissions by a application card (0165; 0020).

9. As per **claim 6 and 24**, Ghahremani et al further discloses a feature rights management system, wherein the application card releases a feature unit by sending a release message to the feature rights management agent; and wherein the feature rights management agent increases its number of available feature units in response to the release message (0164; 0165).

10. As per **claim 7 and 25**, Ghahremani et al further discloses a feature rights management system, wherein the feature management agent releases feature keys from a feature rights management agent and moves feature rights keys to the feature rights server (0164; 0165).

11. As per **claim 8 and 26**, Ghahremani et al further discloses a feature rights management system, wherein each feature key comprises a plurality of feature rights including a) feature units, b) a feature category, and c) a distribution node identifier (0098; 0154; 0155; 0178).

12. As per **claim 9 and 27**, Ghahremani et al further discloses a feature rights management system, wherein each feature unit designates how many instances of a feature category is permitted within a domain of a distribution node identified by the distribution node identifier (0178).

13. As per **claim 10**, Ghahremani further discloses a feature rights management system, wherein the feature keys are of at least two kinds of keys: network keys destined to the feature rights server and element keys destined for the feature rights management agent (fig. 10; 0083; 0084; 0103).

14. As per **claim 28**, Ghahremani further discloses a feature rights management apparatus, wherein the feature keys are of at least two kinds of keys: network keys destined to the feature rights server and element keys destined for the feature rights management agent, wherein, the distribution node identifier of an element key identifies a domain of an identified feature rights management agent, and wherein the distribution

node identifier of a network key identifies a domain of an identified feature management server (fig. 10; 0083; 0084; 0103; 0124; 0125; 0126).

15. As per **claim 30, 33 and 37**, Ghahremani et al further discloses a feature rights management system, wherein the features comprise telecommunication features (fig. 1, 3, 12, 15, 17; 0084; 0086).

16. **Claims 31, 35, 32 and 36,** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghahremani et al U.S. Patent Application Publication No. 2005/0180429 A1 and Coley et al U.S. Patent Application Publication 2001/0011253 as applied to claim 1 and 19 above, and further in view of Summers et al U.S. Patent No. 6,098,133.

17. As per **claim 31 and 35**, both Ghahremani et al and Coley et al failed to explicitly disclose a feature rights management system, wherein the common backplane bus of the chassis is a trusted bus.

Summers et al discloses a feature rights management system, wherein the common backplane bus of the chassis is a trusted bus (fig. 1, 2, 6 and 7)

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a feature rights management system, wherein the common backplane bus of the chassis is a trusted bus as taught by Summers et al in order to ensure adequate security and

reliability because "...the switch preferably includes a redundant bus architecture for interconnecting the FMs and SCMs..." (Ghahremani, 0058).

18. As per **claim 32 and 36**, Ghahremani et al further discloses a feature rights management system, wherein the common backplane bus of the chassis connects the plurality of application cards to the system manager card (fig. 1) but failed to explicitly disclose over a trusted intra-card bus.

Summers et al discloses a trusted intra-card bus (fig. 1, 2, 6 and 7).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Ghahremani et al and incorporate a trusted intra-card bus as taught by Summers et al in order to ensure adequate security.

19. **Claims 34 and 38,** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghahremani et al U.S. Patent Application Publication No. 2005/0180429 A1 and Coley et al U.S. Patent Application Publication 2001/0011253 as applied to claim 1 and 19 above, and further in view of Salkini et al U.S. Patent No. 6,912,230.

20. As per **claims 34 and 38**, both Ghahremani et al and Coley et al failed to explicitly disclose a feature rights management system, wherein the features comprise prepaid billing.

Salkini et al discloses a feature rights management system, wherein the features comprises prepaid billing (col. 10, lines 1-10).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Petrone et al and incorporate a feature rights management system, wherein the features comprises prepaid billing as taught by Salkini et al in order to ensure that providers are paid for the services.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art ad are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlie C. L. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on **(571) 272 – 6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(571) 273-8300. [Official communications; including After Final communications labeled "Box AF"].

(571) 273-8300. [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"].

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany Street Alexandria VA.

acc
November 3, 2005

Primary Examiner
AU 3621